

so that the product (including stabilizers, emulsifiers, or flavoring) resembles milk or any other fluid milk product, and contains less than 6 percent nonmilk fat (or oil).

§ 1076.18 Cooperative association.

Cooperative association means any cooperative marketing association which the Secretary determines, after application by the association:

- (a) Is qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";
- (b) Has full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members; and
- (c) Has its entire activities under the control of its members.

§ 1076.19 Commercial food processing establishment.

Commercial food processing establishment means any facility other than a milk or filled milk plant, to which bulk fluid milk products and bulk fluid cream products are disposed of, or producer milk is diverted, that uses such receipts as ingredients in food products and has no disposition of fluid milk products or fluid cream products other than those received in consumer-type packages. Producer milk diverted to commercial food processing establishments shall be subject to the same provisions relating to diversions to plants, including but not limited to, provisions in §§ 1076.13, 1076.41 and 1076.52.

[58 FR 27866, May 11, 1993]

HANDLER REPORTS

§ 1076.30 Reports of receipts and utilization.

On or before the 8th day (excluding holidays) after the end of each month, each handler shall report for such month to the market administrator, in the detail and on the forms prescribed by the market administrator, as follows:

- (a) Each handler described in § 1076.9(a), (b), and (c) shall report for each of its operations the following information:

- (1) Product pounds, pounds of butterfat, pounds of protein, pounds of solids-not-fat other than protein (other solids), and the value of the somatic cell adjustment contained in or represented by:

- (i) Receipts of producer milk, including producer milk diverted by the handler; and

- (ii) Receipts of milk from handlers described in § 1076.9(c);

- (2) Product pounds and pounds of butterfat contained in:

- (i) Receipts by transfer or diversion of bulk fluid milk products from pool plants;

- (ii) Receipts of fluid milk products not included in paragraph (a)(1) or (a)(2)(i) of this section and bulk fluid cream products from any source;

- (iii) Receipts of other source milk; and

- (iv) Inventories at the beginning and end of the month of fluid milk products and products specified in § 1076.40(b)(1);

- (3) The utilization or disposition of all milk, filled milk, and milk products required to be reported pursuant to paragraph (a) of this section; and

- (4) Such other information with respect to the receipts and utilization of skim milk, butterfat, milk protein, other nonfat solids, and somatic cell information, as the market administrator may prescribe.

- (b) Each handler operating a partially regulated distributing plant shall report with respect to such plant in the same manner as prescribed for reports required by paragraph (a) of this section. Receipts of milk that would have been producer milk if the plant had been fully regulated shall be reported in lieu of producer milk. Such report shall show also the quantity of any reconstituted skim milk in route disposition in the marketing area.

- (c) Each handler not specified in paragraphs (a) and (b) of this section shall report with respect to its receipts and utilization of milk, filled milk, and milk products in such manner as the market administrator may prescribe.

[39 FR 16312, May 8, 1974, as amended at 46 FR 27906, May 22, 1981; 60 FR 57158, Nov. 14, 1995]